## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

HELIX MICROINNOVATIONS LLC,

Plaintiff,

S Case No. 2:24-cv-00630

vs.

MICROCHIP TECHNOLOGY INCORPORATED,

Defendant.

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## DECLARATION OF ANDREW MORRIS IN SUPPORT OF MICROCHIP TECHNOLOGY INC.'S MOTION TO DISMISS FOR IMPROPER VENUE

## I, Andrew Morris, declare:

- 1. I am the Associate Director-Site Services at Microchip Technology, Inc. ("Microchip"). I have been in that position since September 2021, and I have been employed by Microchip since August 1997. I am responsible for Site Services, Corporate Environmental, Environmental Health and Safety, Real Estate and Corporate Insurance. The real estate role has myself and team working with our sales, design, engineering and manufacturing business units around the world in identifying appropriate properties for purchase or lease to conduct operations. Our team works to identify needs of each business unit, finding available properties with help from local brokers, to negotiate agreeable lease or purchase terms and conditions for occupancy. The real estate team manages lease terms, tenant improvements and assists with relocations or return of leased space at end of term.
- 2. I am over 21 years of age and if called to testify as a witness, I could and would do so competently under oath. Unless otherwise noted, the facts and statements in this Declaration are based on my personal knowledge, my review of corporate records maintained by Microchip in the ordinary course of business, and/or discussions with Microchip employees.

- 3. I provide this declaration in support Microchip's motion to dismiss for improper venue.
- 4. Microchip is a Delaware corporation headquartered in Chandler, Arizona.
- 5. As of January August 4, 2024, Microchip had no offices or facilities in the forty-three counties that comprises the Eastern District of Texas ("Subject Counties"). Microchip does not own, lease or sublease any office space in the Subject Counties.
- 6. I understand Helix Microinnovations LLC ("Helix") alleges Microchip has a place of business at 2805 Dallas Parkway in Plano, Texas. Helix is wrong. Microchip has not had a place of business at 2805 Dallas Parkway, Plano, Texas since August 31, 2020, per the natural expiration of the Third Amendment to Lease (Exhibit 2). Microchip did not renew the lease after the Third Amendment to Lease. Existing employees were either moved to an office in Dallas County Texas or terminated.
  - 7. Microchip acquired Microsemi Corp. as a wholly owned subsidiary in 2018.
- 8. Attached as Exhibit 1 is a true and correct copy of the Second Amendment to Lease for 2805 Dallas Parkway, Plano, Texas.
- 9. Attached as Exhibit 2 is a true and correct copy of the Third Amendment to Lease for 2805 Dallas Parkway, Plano, Texas.
- 10. Attached as Exhibit 3 is a true and correct copy of a July 12, 2017 letter from Stream Realty to Microsemi Corp. identifying the termination date of the Third Amendment to Lease for 2805 Dallas Parkway, Plano, Texas as August 31, 2020.

Executed on August 8, 2024 in Chandler, Arizona.

Andrew Morris